

AMENDED

Serial No. **54219**

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office DEC 06 1989
 Returned to applicant for correction DEC 29 1989
 Corrected application filed MAY 21 1990 Map filed DEC 06 1989

The applicant Harold K. and Sandra P. Boggio
Box 36 of Paradise Valley
Street and No. or P.O. Box No. City or Town
Nevada 89426 hereby make application for permission to change the
State and Zip Code No.
point of diversion
Point of diversion, manner of use, and/or place of use
 of water heretofore appropriated under Permit 31744
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.

- The source of water is underground
Name of stream, lake, underground spring or other source.
- The amount of water to be changed 4.77 c.f.s.
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
- The water to be used for irrigation and domestic
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water heretofore permitted for irrigation and domestic
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water is to be diverted at the following point within the SE 1/4 NE 1/4 of Section 26, T.42N., R.39E., M.D.B. & M. or at a point from which the NE corner of said Section 26
Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.
bears N 5° 28' E 2618.0'
- The existing permitted point of diversion is located within the SE 1/4 NE 1/4 of Section 26, T.42N., R.39E., M.D.B. & M. or at a point from which the W 1/4 corner of said Section 26
If point of diversion is not changed, do not answer.
bears S 87° 39' W 4452.0'
- Proposed place of use unchanged see Permit 31744, Exhibit "A" (attached)
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
- Existing place of use unchanged see Permit 31744, Exhibit "A" (attached)
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.
- Use will be from January 1st to December 31st of each year.
Month and Day Month and Day
- Use was permitted from January 1st to December 31st of each year.
Month and Day Month and Day
- Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.)
State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes, or drilled well, etc.
- Estimated cost of works in excess of \$1000.00
- Estimated time required to construct works well complete (see well log filed under Permit 31744)

14. Estimated time required to complete the application of water to beneficial use complete

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

Applicant drilled the well over 300' from the existing point of diversion.

This application is being filed to correct the point of diversion to the actual

well location. Applicant is only able to irrigate the 201.72 acres shown on the

accompanying map. No additional ground under Permit 31744 will be irrigated.

By s/ John H. Milton III
Desert-Mountain, Inc. as agent
146 West Second Street
Winnemucca, NV 89445

Compared am/ se am/se

Protested

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion of the waters of an underground source as heretofore granted under Permit 31744 is issued subject to the terms and conditions imposed in said Permit 31744 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 4.77 cubic feet per second, and not to exceed a yearly duty of 3.6 acre-feet per acre of land irrigated from any and/or all sources, but not to exceed 726.2 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before August 3, 1992

Proof of completion of work shall be filed before September 3, 1992

Application of water to beneficial use shall be made on or before August 3, 1993

Proof of the application of water to beneficial use shall be filed on or before September 3, 1993

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed

Proof of beneficial use filed

Cultural map filed

Certificate No. Issued

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.
State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this 3rd day of March

A.D. 19 92


State Engineer

Recorded By 57832T 1.70 8-6-93
584954.770PS

Permit 31/44
Exhibit "A"

CULTURE CHART

SECTION	SUBDIVISON	TOWNSHIP	RANGE	ACRES	CULTURE
25	NW1/4 SW1/4	42	39	37.50	MEADOW HAY
"	SW1/4 SW1/4	"	"	27.77	" "
26	SW1/4 NE1/4	"	"	18.20	" "
"	SE1/4 NE1/4	"	"	10.70	" "
"	NW1/4 SE1/4	"	"	13.20	" "
"	NE1/4 SE1/4	"	"	7.80	" "
"	NE1/4 SE1/4	"	"	8.30	" "
"	SE1/4 SE1/4	"	"	15.70	" "
35	NE1/4 NE1/4	"	"	12.79	" "
36	NW1/4 NW1/4	"	"	34.17	" "
"	SW1/4 NW1/4	"	"	15.59	" "
TOTAL				201.72	